S.B. Civil First Appeal No.19/1985
Rajasthan Roadways
vs
Kantilal & Anr.

Date of order : 9.10.2007.

HON'BLE MR. PRAKASH TATIA, J.

None present.

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In a suit for recovery of Rs.18,300/-, the trial court passed decree on 20th Oct., 1984 for Rs.16,084.78/-. The regular first appeal was filed in the year 1985, which was admitted on 11th March, 1985.

Counsel for the appellant submitted an application stating therein that appellant took the case file from the counsel for the appellant and has not returned the case file to counsel for the appellant. Appellant's counsel gave registered notice to the appellant on 17th March, 2007 and copy of the notice has been placed on record alongwith acknowledgment due receipt evidencing due delivery of the notice to the appellant. Learned counsel for the appellant prayed for appropriate order in this situation.

It appears that in a money matter of Rs.18,000/- only, the appellant might have lost its interest. The appellant has already been duly informed about the pending appeal, but no arrangement has been made

nor any power has been filed nor power of the appellant's advocate has been withdrawn with the leave of the Court.

Therefore, the appeal of the appellant is dismissed for non-prosecution.

(PRAKASH TATIA), J.

c.p.goyal/-